

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

VISHAL SAXENA, Ph.D.,
Plaintiff,

v.

UNIVERSITY OF MASSACHUSETTS
MEDICAL SCHOOL,
Defendant.

CIVIL ACTION NO. 4:19-CV-40007-TSH

MOTION TO RECONSIDER MOOTNESS

Dr. Vishal Saxena (Dr. Saxena or Plaintiff) hereby requests the honorable court to reconsider making the motions filed as moot.

The court did not find the matter moot in the past

Dr. Saxena would like to bring to the court's attention that when he filed a motion in court by himself in September 2021, the court did not find the motion as moot even though Plaintiff was represented by counsel. Further, in the sanctions the court placed upon Dr. Saxena, it found that (emphasis added) "The Plaintiff shall reimburse the Defendants for their reasonable attorney's fees incurred in prosecuting their Motion to Compel 41, their Motion for Sanctions 53, and in **defending Plaintiff's Motion for Sanctions.**" If indeed a matter is moot if Plaintiff files it when he is represented by counsel, then that matter should have also been classified as moot and Plaintiff should not have been asked to pay for Defendant's fees in defending the motion for sanctions.

Further at the time, Defendant also did not call for Plaintiff's motion to be classified as moot.

Plaintiff respectfully therefore asks the honorable court to reconsider classifying the motions filed by Plaintiff as moot.

A handwritten signature in black ink, appearing to be 'Vishal Saxena', with a long horizontal stroke extending to the right.

Dr. Vishal Saxena

May 17, 2023